

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:19-cv-00219-MR**

**CULTURAL LANDSCAPE GROUP:
FLAT ROCK, ANNE COLETTA, AND
PAUL COLETTA,**

Plaintiffs,

vs.

**VILLAGE OF FLAT ROCK, MAYOR
ROBERT STATON, SIGN
ENFORCEMENT OFFICER PATRICIA
CHRISTIE,**

Defendants.

CONSENT ORDER

THIS MATTER is before the Court on the parties' Joint Motion to Enter Consent Order and Voluntary Dismissal [Doc. 33].

The parties have advised this Court that they have reached an agreement in this case in which an amended Sign Ordinance ("New Sign Ordinance") has been agreed upon and executed by the Village of Flat Rock. Specifically, the Defendants agree that certain provisions of Ordinance No. 102, the sign control ordinance adopted by the Village of Flat Rock on or about December 13, 2018 ("Old Sign Ordinance" herein), were not consistent with recent decisions of the U.S. Supreme Court and, therefore,

required amendment. On or about December 2, 2019, the Village of Flat Rock adopted an amended sign control ordinance, Ordinance No. 104 (the New Sign Ordinance), supplanting the Old Sign Ordinance. Pursuant to section 1102, the New Sign Ordinance took effect on December 2, 2019 and is in force as the “Village of Flat Rock Sign Control Ordinance.” The Defendants agree that any prior noticed violations under the Old Sign Ordinance will not be penalized. The Defendants agree to enforce the New Sign Ordinance in accordance with the United States Constitution. The Defendant Mayor Robert Staton and Defendant Sign Enforcement Officer Patricia Christie agree to act in accordance with the terms of this Consent Order and continue to be subject to the jurisdiction of the Court. The Plaintiffs agree that they will pursue no claims and seek no damages or other relief from the individual defendants.

Based on the representations of the parties, and for cause shown,

IT IS, THEREFORE, ORDERED that:

1. The parties’ Joint Motion to Enter Consent Order and Voluntary Dismissal [Doc. 33] is **GRANTED**;
2. The preliminary injunction issued by this Court’s consent order dated August 29, 2019 is hereby **DISSOLVED**;

3. The claims against Defendant Mayor Robert Staton, in his official and individual capacities, and Defendant Sign Enforcement Officer Patricia Christie, in her official capacity, are hereby **DISMISSED WITH PREJUDICE**;


4. The claims against Defendant Village of Flat Rock are hereby **DISMISSED WITHOUT PREJUDICE**; and

5. Each party shall bear its own costs and attorney's fees.

The Clerk of Court is respectfully directed to close this civil action.

IT IS SO ORDERED.

Signed: January 9, 2020


Martin Reidinger
United States District Judge

